

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services – Irrigation & C.A.D. Department – Allegation of corruption against Sri S. Murali Konda, Deputy Executive Engineer and lending of money to Sri Shankar in contravention of Rule 8 (1) (a) of A.P.C.S. (Conduct) Rules, 1964 – Departmental action initiated – Cancelled the orders issued in G.O.Ms.No.56, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.07.2006, duly releasing the 5% pension which was withheld to Sri Murali Konda, Deputy Executive Engineer (Retd.) – Regularization of suspension / dismissal periods from 03.09.1991 to 05.03.1995 and from 04.09.1997 to 03.06.2004 respectively as 'on duty' under Rule 54-B (4) of Fundamental Rules – Orders – Issued.

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**IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.VI) DEPARTMENT**

G.O.Rt.No. 695

Dated: 16.07.2013.  
Read the following:-

- 1) From the Director General, Anti-Corruption Bureau, Hyderabad, Lr.No.45/RCT/Kad/91- S 15, dated 28.07.1991.
- 2) G.O.Ms.No.368, Irrigation & C.A.D. (Ser.VI) Department, dated 31.08.1991.
- 3) G.O.Ms.No.210, Irrigation & C.A.D. (Ser.VI) Department, dated 29.06.1992.
- 4) G.O.Rt.No.101, Irrigation & C.A.D. (Ser.VI) Department, dated 08.02.1995.
- 5) From the Hon'ble Court of Principal Special Judge for SPE & ACB Cases, Hyderabad judgement dated 11.07.1996 in C.C.No.37/1992.
- 6) G.O.Ms.No.117, Irrigation & C.A.D. (Ser.VI) Department, dated 20.08.1997.
- 7) Hon'ble High Court of Andhra Pradesh, Hyderabad judgement dated 24.04.2002 in Criminal Appeal No.676 of 1996 filed by Sri Murali Konda, Deputy Executive Engineer.
- 8) G.O.Ms.No.535, Irrigation & C.A.D. (Ser.VI) Department, dated 13.05.2003.
- 9) G.O.Rt.No.413, Irrigation & C.A.D. (Ser.VI) Department, dated 28.04.2004.
- 10) G.O.Rt.No.1221, Irrigation & C.A.D. (Ser.VI) Department, dated 04.10.2004.
- 11) G.O.Rt.No.1222, Irrigation & C.A.D. (Ser.VI) Department, dated 04.10.2004.
- 12) G.O.Ms.No.56, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.07.2006.
- 13) G.O.Rt.No.1650, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.12.2008.
- 14) Andhra Pradesh Administrative Tribunal, Hyderabad orders, dated 09.10.2012 in O.A.No.8169 of 2009 filed by Sri Murali Konda, Deputy Executive Engineer (Retd.)
- 15) G.O.Ms.No.44, Irrigation & C.A.D. (Ser.VI) Department, dated 01.05.2013.
- 16) From the A.P.A.T. Notice in Form No.3 in O.A.No.96119/2012 filed by Sri Murali Konda, Deputy Executive Engineer (Retd.).

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ORDER:-

Whereas, it has been brought to the notice of the Government that Sri S. Murali Konda, Deputy Executive Engineer, formerly worked at Sathanala Irrigation Project, Adilabad was trapped on 17.07.1991 while demanding and accepting illegal gratification.

2. In the reference 2<sup>nd</sup> read above, orders were issued by placing Sri S. Murali Konda, Deputy Executive Engineer, A/c. Executive Engineer, M.I.P. Division, Adilabad under suspension in public interest, till the case registered against him is finally disposed off.

3. In the reference 3<sup>rd</sup> read above, Government have accorded sanction for prosecuting the accused officer Sri Murali Konda, Deputy Executive Engineer, formerly holding charge of Executive Engineer, Sathanala Medium Irrigation Project, Adilabad District, in a competent Court of Law under Prevention of Corruption, 1988.

(P.T.O.)

4. In the reference 4<sup>th</sup> read above, orders were issued by reinstating Sri Murali Konda, Deputy Executive Engineer into service pending finalization of the case in the ACB Court.
5. In the reference 5<sup>th</sup> read above, after conducting trial, the Principal Special Judge for SPE & ACB Cases, Hyderabad has delivered the judgement on 11.07.1996 finding the Accused Officer guilty of the charges and convicted and sentenced him to suffer R.I. for one year and pay fine of Rs.1500/-.
6. In the reference 6<sup>th</sup> read above, based on the judgement of the Principal Special Judge for SPE & ACB Cases, Hyderabad dated 11.07.1996 in C.C.No.37/1992, orders were issued, by dismissing Sri S. Murali Konda, Deputy Executive Engineer from service.
7. Questing his conviction, the Accused Officer Sri S. Murali Konda, Deputy Executive Engineer has filed Criminal Appeal No.676/96 before the Hon'ble High Court of Andhra Pradesh, Hyderabad. In the reference 7<sup>th</sup> read above, the Hon'ble High Court of Andhra Pradesh, Hyderabad has allowed the Criminal Appeal No.676/96 on 24.04.2002 mainly upholding the 'alibi' pleaded by the Accused Officer and thereby holding that there is no possibility of demand of bribe by the Accused Officer.
8. In the reference 8<sup>th</sup> read above, while setting aside the orders issued in the reference 6<sup>th</sup> read above, orders were issued by keeping Sri S. Murali Konda, Deputy Executive Engineer under deemed suspension with effect from the date of dismissal orders and shall continue to remain under suspension until further orders. Subsequently, in the reference 9<sup>th</sup> read above, orders were issued, by revoking the deemed suspension and reinstating Sri S. Murali Konda, Deputy Executive Engineer into service with effect from the date of dismissal in full consonance of the judgement of the High Court of Andhra Pradesh dated 24.04.2002 in Criminal Appeal No.676/1996.9.
9. In the references 10<sup>th</sup> & 11<sup>th</sup> read above, departmental action was initiated against Sri S. Murali Konda, Deputy Executive Engineer (Retd.) by way of issuing Articles of Charges with a direction to submit his written statement of defence on charge of by lending money to Sri Shanker in contravention of rule 8 (a) of A.P.C.S. (Conduct) Rules, 1964, duly according sanction order under sub-clause (1) of clause (b) of sub-rule 2 of Rule 9 of A.P. Revised Pension Rules, 1980.
10. In the reference 12<sup>th</sup> read above, after following due procedure, orders were issued, by imposing a punishment of 5% cut in pension permanently on Sri S. Murali Konda, Deputy Executive Engineer (Retd.) as the charges are proved against him on the allegation of lending of money to Sri Shanker in contravention of Rule 8 (1) (a) of A.P.C.S. (Conduct) Rules, 1964.
11. In the reference 13<sup>th</sup> read above, orders were issued, by treating the suspension/dismissal periods in respect of Sri Murali Konda, Deputy Executive Engineer (Retd.) from 03.09.1991 to 05.03.1995 and from 04.09.1997 to 03.06.2004 respectively as "not duty".
12. Aggrieved by the orders in the reference 12<sup>th</sup> read above, Sri Murali Konda, Deputy Executive Engineer (Retd.) has filed an O.A.No.8169 of 2009 before the Andhra Pradesh Administrative Tribunal, Hyderabad, and in the reference 14<sup>th</sup> read above, the Andhra Pradesh Administrative Tribunal, Hyderabad in its orders dated 09.10.2012 in O.A.No.8169 of 2009 has set aside the G.O.Ms.No.56, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.07.2006 and directed the respondents to release the 5% pension withheld in pursuance of the orders in G.O.Ms.No.56, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.07.2006.

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13. In the reference 15<sup>th</sup> read above, in pursuance of the orders of A.P. Administrative Tribunal, Hyderabad dated 09.10.2012 in O.A.No.8169 of 2009, orders were issued, by cancelling the orders issued in G.O.Ms.No.56, Irrigation & C.A.D. (Ser.VI-2) Department, dated 26.07.2006, duly releasing the 5% pension which was withheld to Sri Murali Konda, Deputy Executive Engineer (Retd.).

14. In the reference 16<sup>th</sup> read above, Sri S. Murali Konda, Deputy Executive Engineer (Retd.) has approached the A.P.A.T., Hyderabad by filing an O.A.No.9610 of 2012 with a prayer to quash the orders issued in G.O.Rt.No.1650, Irrigation & C.A.D. (Ser.VI) Department, dated 26.12.2008 and consequently hold that the applicant is entitled to treat the period of suspension and the period of dismissal from 03.09.1991 to 05.03.1995 and from 04.09.1997 to 03.06.2004 respectively as on duty with all consequential benefits and pass such other orders as the Hon'ble Tribunal may deem fit or proper.

15. After careful examination of the matter, it has been decided to regularize the suspension / dismissal periods in respect of Sri S. Murali Konda, Deputy Executive Engineer (Retd.) from 03.09.1991 to 05.03.1995 and from 04.09.1997 to 03.06.2004 respectively "as duty" under rule 54-B(4) of Fundamental Rules, as no punishment was imposed in criminal proceedings as well as in departmental action initiated against him. Accordingly, Government hereby order that the suspension / dismissal periods in respect of Sri S. Murali Konda, Deputy Executive Engineer (Retd.), formerly worked at Sathanala Irrigation Project, Adilabad be regularized as "on duty" under rule 54-B(4) of Fundamental Rules, as no punishment was imposed in criminal proceedings as well as in departmental action initiated against him.

16. The Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad shall take further necessary action in the matter accordingly and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Murali Konda, Deputy Executive Engineer (Retd.), formerly at Sathanala Irrigation Project, Adilabad through the Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.

The Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.

Copy to:-

The Finance (FR.II) Department.

The Secretary to Vigilance Commission, A.P. Vigilance Commission, Hyderabad.

The Accountant General (A & E), Andhra Pradesh, Hyderabad.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER